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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,711	07/08/2005	Sajed Husein	66286-5001	4022
24574 7590 07/09/2008 JEFFER, MANGELS, BUTLER & MARMARO, LLP 1900 AVENUE OF THE STARS, 7TH FLOOR LOS ANGELES, CA 90067				
EXAMINER				
FAN, HUA				
ART UNIT		PAPER NUMBER		
2152				
MAIL DATE		DELIVERY MODE		
07/09/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/541,711

Applicant(s)

HUSEIN, SAJED

Examiner

HUA FAN

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CIS-100)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 10/7/2005

DETAILED ACTION

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Objections

1. Claim 1 is objected to because of the following informalities: applicant is suggested to re-organize claim 1 using indented format for multiple limitations, similar to how claim 11 is written. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The terms "sufficient information" and/or "sufficient configuration data" in claims 1, 5, 8, 11, 15, and 18 relative terms which renders the claim indefinite. The term "sufficient information" and "sufficient configuration data" are not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Applicant is suggested to modify the claim to use a definite language, or define the above mentioned terms in either claims or specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-13, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maciulewicz (US patent 5751572), in view of Paul (US patent 6687817).

As to claim 1, Maciulewicz discloses a building management system (figure 2, "Heating/Cooling System"; col. 1, lines 51-53, "HVAC communication system") comprising a front end device (figure 2, component 12 "Master Controller"; col. 2, line 66 – col. 3, line 4, "master controller receives information from network system control...include an emergency shutdown notification" therefore a master controller is a front end device relative to zone controllers) networked to a plurality of controller devices (figure 2, component 20, 18, and 16 "Zone Controller"),

the front-end device being adapted to respond to a configuration data request by broadcasting a configuration data response containing the required configuration data to all the controller devices (col. 1, lines 51-59, "master controller... broadcast control information to its respective zone controllers...respond to any messages that may be provided to it from any device within the HVAC communication system"), each broadcast configuration data response including sufficient information to enable each controller device to determine whether to act on or ignore the broadcast configuration data response (col. 5, lines 44-48, "each zone controller...to determine the relevance of the packet to the particular zone controller"; col. 2, lines 4-13, "each zone controller...to check for a master controller identification appearing in the data packet...matches a master controller identification previously stored in the zone controller").

However, Maciulewicz does not expressly disclose each controller device being adapted to transmit a configuration data request if not sufficiently configured to perform its appointed role. Paul discloses a new device multicasts configuration request as part of its boot up process (col. 3, lines 29-34) and receives the configuration data from the configuration computer (col. 3, lines 59-61). In addition, Paul further discloses the configuration computer can be a front-end

device that has interface to user (figure 3, component 300, "Network Administrator/Terminal/Configuration computer").

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to combine the teachings disclosed by Maciulewicz, with the teachings disclosed by Paul regarding a new device multicasts configuration request as part of its boot up process and receives the configuration data from the front-end device. The suggestion/motivation of the combination would have been to boot up and configure a new device added to the network (Paul, lines 29-34) and allow the new device to function within the network (Paul, col. 4, lines 44-45).

As to claim 2, Maciulewicz in view of Paul teaches all limitations of claim 1. Furthermore, both Maciulewicz and Paul disclose configuration data responses are IP multicast transmissions, the controller devices all sharing the same IP multicast address (**Maciulewicz**, col. 4, lines 4-10, "zone controllers have lower addresses than their respective master controller"; col. 6, lines 33-37, "master packet would not contain particular address for any zone controller"; figure 5B, component 92, "Broadcast master packet on network bus"; **Paul**, col. 3, lines 46-61, "the configuration computer then generates the configuration data and sends it to the new device via multicast").

As to claim 3, Maciulewicz in view of Paul teaches all limitations of claim 1. Furthermore, both Maciulewicz and Paul disclose each configuration data packet includes a controller device identifier identifying the controller device (**Maciulewicz**, figure 9, component 122, "Zone Address field"; component 146, "Master Address field"), each controller device being adapted to act only on a configuration data packet containing its respective controller device identifier (figure 9, the identifier that determines whether a zone controller will accept the

packet is either one of the above two fields. Figure 9 indicates if the received packet does not correspond to the zone device identifier ("Zone Address" or "Master Address"), the packet will be rejected (component 136); **Paul**, col. 3, lines 46-61, "The message contains the unique identifier generated by the new device in order to mark the message as intended for that particular device. Devices that ...have an identifier different from that included in the message can ignore the message").

As to claim 5, Maciulewicz in view of Paul teaches all limitations of claim 1. Furthermore, Paul discloses each controller device is adapted to broadcast a configuration data request to all the other controller devices and the front end device (col. 3, lines 30-34, "multicasts a configuration request 330 on the network 310" implies that all devices including the front end device will receive the request). Maciulewicz further discloses each data packet includes sufficient information to enable each device receiving it to determine whether to act on or ignore the incoming packets (figure 9, each zone controller only accepts packets directed to its own zone address or broadcasting packets that were from its master controller; figure 5A, master controller only stores received zone control information after determining the device code equal to zone controller code).

As to claim 6, Maciulewicz in view of Paul teaches all limitations of claim 5. Furthermore, Paul discloses the configuration data requests are IP multicast transmissions (col. 3, lines 30-34, "multicasts a configuration request 330 on the network 310"; col. 3, lines 12-14, "TCP/IP"). Maciulewicz further discloses the front end device and controller devices all sharing the same IP-multicast addresses (col. 4, lines 5-11).

As to claim 7, Maciulewicz in view of Paul teaches all limitations of claim 5 including controller device broadcasts a request for configuration data and front-end device multicasts packets to controller devices. Maciulewicz further discloses zone controllers only respond to broadcasted packets from its master controller by checking a transmission type identifier (figure 9, component 142, "Read Device Code", 144, "Does Device Code equal Master code", 148, 132, and 136), and a master controller only accepts packets from its zone controllers by checking a transmission type identifier (figure 5A, component 72, "Read Device Code", 74 and 76).

As to claim 8, Maciulewicz in view of Paul teaches all limitations of claim 1. Furthermore, Paul discloses each controller device is adapted to check on power-up whether or not it has sufficient configuration data to perform its appointed role (col. 3, lines 31-38, "before the new device configures the network settings it suspends the boot process and multicasts a configuration request").

As to claim 9, Maciulewicz in view of Paul teaches all limitations of claim 1. Furthermore, Paul discloses each controller device is adapted to retain, once configured its configuration data in the event of a restart (col. 4, lines 38-50, new device saves configuration data into files for later configuring the device after a restart).

As to claim 10, Maciulewicz in view of Paul teaches all limitations of claim 1. Furthermore, Paul discloses the new device is adapted to re-transmit a configuration data request if it has not received an acceptable configuration data response within a predetermined interval (col. 5, lines 25-29).

Claims 11-13 and 15-20 are method claims corresponding to system claims 1-3 and 5-10 respectively. Therefore they have been analyzed and rejected based upon system claims.

6. Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maciulewicz in view of Paul, as applied to claim 1 and 11, and further in view of Donahue et al (US patent 7313606).

As to claim 4, Maciulewicz in view of Paul discloses each configuration data request includes a controller device identifier identifying the controller device sending the configuration data request, and the front end device being adapted to check the controller device identifier in any incoming configuration data request (Paul, col. 3, lines 36-39 and 46-51), but does not expressly disclose the device identifier is used in order for the front-end device to determine the configuration data required. Donahue et al discloses the device identifier is used in order to determine the configuration data required (abstract, "the request contains the unique bi-directional IP communication device identifier. The user's basis configuration details are then determined based on the unique bi-directional IP communication device identifier").

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to combine the teachings disclosed by Maciulewicz in view of Paul, with the teachings disclosed by Donahue et al regarding the device identifier is used in order to determine the configuration data required. The suggestion/motivation of the combination would have been to increase efficiency by allowing the DHCP server automatically assigns IP address using the configuration table to look up unique basic configuration details based on the gateway's serial number (Donahue et al, col. 8, lines 9-13).

As to claim 14, see similar rejection to claim 4.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUA FAN whose telephone number is (571)270-5311. The examiner can normally be reached on M-F 7:30am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. F./
Examiner, Art Unit 2152

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2152